

APR -1 2008

U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

UNITED STATES OF AMERICA

vs.

GARY DAVID LAMBERT,
Defendant.

DOCKET NO. 2:08cr15

BILL OF INDICTMENT

Violation:

18 U.S.C. § 2241

18 U.S.C. § 2242

18 U.S.C. § 2244

18 U.S.C. § 1153

THE GRAND JURY CHARGES:

COUNT ONE

On or about the 8th day of August, 2007, in Swain County, in Indian country, that is, within the boundaries of the Eastern Band of Cherokee Indian Reservation, and within the Western District of North Carolina, the defendant

GARY DAVID LAMBERT

an Indian, did knowingly engage and attempt to engage in a sexual act, that being the intentional touching, not through the clothing, of the genitalia of another person who had not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, with another person who had not attained the age of 12 years, in violation of Title 18, United States Code, Sections 2241(c) and 1153.

COUNT TWO

On or about the 8th day of August, 2007, in Swain County, in Indian country, that is, within the boundaries of the Eastern Band of Cherokee Indian Reservation, and within the Western District of North Carolina, the defendant

GARY DAVID LAMBERT

an Indian, did knowingly engage and attempt to engage in a sexual act, that being the intentional touching, not through the clothing, of the genitalia of another person who had not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, with another person who was incapable of appraising the nature of the conduct, in violation of Title 18, United States Code, Sections 2242 and 1153.

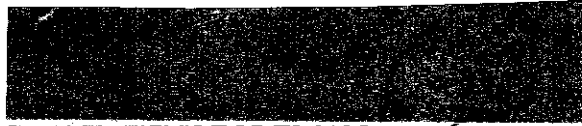
COUNT THREE

On or about the 8th day of August, 2007, in Swain County, in Indian country, that is, within the boundaries of the Eastern Band of Cherokee Indian Reservation, and within the Western District of North Carolina, the defendant

GARY DAVID LAMBERT

an Indian, did knowingly engage in and cause sexual contact, that being the intentional touching, directly and through the clothing, of the genitalia, groin, inner thigh, and buttocks of another person with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, with another person who had not yet attained the age of 12, in violation of Title 18, United States Code, Sections 2244(a)(5) and 1153.

A TRUE BILL



GRAND JURY FOREMAN

GRETCHEN C. F. SHAPPERT
UNITED STATES ATTORNEY

A handwritten signature in ink, appearing to read "Don Gast", written over a horizontal line.

DON GAST
ASSISTANT UNITED STATES ATTORNEY